

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
CLEVELAND BROADNAX,	:	
	:	
Plaintiff,	:	
	:	21-cv-2926 (VSB)
-against-	:	
	:	<b><u>ORDER</u></b>
WARDEN MICHELLE HALLET, et al.,	:	
	:	
Defendants.	:	
-----X	:	

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed the complaint in this action on April 5, 2021. (Doc. 2.) On October 1, 2021, the New York City Department of Correction filed a waiver of service of summons unexecuted for Defendants Hallet, Sanchez, Grant, Vincent, Sans, and Lubin. (Doc. 14.) The Department of Correction identified that Defendant Hallet was no longer an employee of the agency, there was no Deputy Sanchez at Anna M. Kross Center, there were no matches to Defendant Sans, and there was more than one Officer Grant, Vincent, and Lubin at Anna M. Kross Center. (*Id.*) On March 17, 2022, former Warden Hallet and the remaining defendants in this action filed an answer to the complaint. (Doc. 29.) To date, Defendants Sanchez, Grant, Vincent, Sans, and Lubin have not answered.

Under *Valentin v. Dinkins*, a pro se litigant is entitled to assistance from the district court in identifying a defendant. 121 F.3d 72, 76 (2d Cir. 1997). It is hereby:

ORDERED that Plaintiff submit a letter to the Court on or before April 22, 2022 indicating whether he intends to continue pursuing the action against Defendants Sanchez, Grant, Vincent, Sans, and Lubin and requests assistance in identifying those defendants. If Plaintiff

does not intend to pursue litigation against Defendants Sanchez, Grant, Vincent, Sans, and Lubin, he is ordered to voluntarily dismiss those defendants pursuant to Federal Rule of Civil Procedure 41(a)(1)(A) by filing a notice of dismissal on or before April 22, 2022. The Clerk of Court is respectfully directed to mail a copy of this Order to pro se Plaintiff.

SO ORDERED.

Dated: April 4, 2022  
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick", with a horizontal line drawn underneath the signature.

Vernon S. Broderick  
United States District Judge